

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Crim No. 03-852 (MLC)

v. :

**ORDER**

ATLANTIC STATES CAST IRON PIPE : Electronically Filed  
COMPANY, A Division of McWane, Inc.,

JOHN PRISQUE, SCOTT FAUBERT, :  
JEFFREY MAURY, DANIEL YADZINSKI,  
and CRAIG DAVIDSON,

Defendants. :

This matter now before the Court upon the application of Pitney Hardin LLP and Venable LLP, attorneys for Defendant Atlantic States Cast Iron Pipe Company, Michael Critchley, Esq., attorney for Defendant John Prisque, Michael D'Alessio, Jr., Esq., attorney for Defendant Scott Faubert, Michael N. Pedicini, Esq., attorney for Defendant Jeffrey Maury, John C. Whipple, Esq., attorney for Defendant Daniel Yadzinski, and Vincent J. Nuzzi, Esq., attorney for Defendant Craig Davidson, ("Defendants") on notice to the United States of America; and the Court having considered the papers filed in support of and in opposition to the motion, if any; oral argument if heard; and good cause having been shown;

IT IS on this    day of              , 2005;

ORDERED that Defendants' Motion to dismiss Counts 1, 8, 9, and 10 for failing to plead the essential elements of obstruction charges is GRANTED.

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Mary L. Cooper, U.S.D.J.